

## REMARKS

### Claim Rejections - 35 U.S.C. § 102

Claims 1, 3-10, and 21-30 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,946,386 issued to Rogers et al (*Rogers*). Claims 28-30 have been canceled. Therefore, the rejection of these claims is moot. The applicant respectfully submits claims 1, 3-10, and 21-30 are not obvious in view of *Rogers* for at least the reasons described below.

Independent claim 1 recites a computer telephony server comprising, in part, the following:

means for communicating with at least one computer telephony application using **a common standardized message structure set which is independent of any particular telephony environment** said application including means for selecting one of said plurality of environments to communicate over;

means for dynamically configuring said server to communicate with said telephony environments using specific message structure sets each corresponding to particular one of said telephony environments;

a translation layer for translating messages between the standardized message structure set and the specific message structure sets; and

means for automatically configuring said server to select said one environment selected by said application upon receipt of a selection message of said one environment from said application.

Claims 6, 8, 26, and 27 recite similar limitations.

Rogers discloses a call management system with call control from user workstation computers. Specifically, *Rogers* states that a call management computer is “configured and programmed to appear to telephone service providers as though it is a business PBX or other business telephone switch and/or an Internet or other data server or node.” Column 7, lines 44-47. Incoming calls are detected and control signals are

applied to determine the appropriate interface through which to route the calls. See column 9, line 54 – column 10, line 13. Calls are then routed and connected to a system user based on the type of trunk and/or circuit needed. See column 10, lines 14 – 46. Thus, the system in *Rogers* is essentially a call **routing** system based on application specific criteria. Each different type of call (voice, fax, data, etc.) must be routed to the appropriate type of trunk and/or circuit to establish a connection.

In contrast, claim 1 is directed to a server comprising means for communicating with a computer telephony application program using a **common standardized message structure set which is independent of any particular telephony environment**. *Rogers* does not teach or disclose means for a server to communicate with an application using a common standardized message structure set which is independent of any particular telephony environment. Therefore, the applicant respectfully submits claim 1 is not anticipated by *Rogers*. Claims 6, 8, 26, and 27 recite similar limitations. Therefore, the applicant submits that claims 6, 8, 26, and 27 are not anticipated by *Rogers*.

Claims 3-5, 7, 9, 10, and 21-25 depend from claims 1, 6, and 8, respectively. Given that dependent claims necessarily include the limitations of the claims from which they depend, the applicant submits that *Rogers* does not anticipate claims 3-5, 7, 9, 10, and 21-25.

#### NEW CLAIMS

Claims 31-35 have been added. Independent claim 31 recites limitations similar to those of claim 1. For at least the reasons set forth above in regards to claim 1, applicant submits that claim 31 is not anticipated by *Rogers*. Given that claims 32-35 depend from claim 31, applicant submits that claims 32-35 are not anticipated by *Rogers*.

CONCLUSION

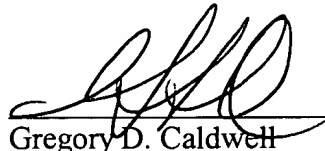
For at least the foregoing reasons, the applicant submits that the rejections have been overcome. Therefore, claims 1, 3-10, 21-27, and 31-35 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Applicants have included a copy of all claims in the attached index for the Examiner's convenience.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

Date: \_\_\_\_\_

7/30/04



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